

The Gambia

Incidence and Nature of Child Labor

An estimated 24.8 percent of children ages 5 to 14 were counted as working in The Gambia in 2000. Approximately 25.2 percent of all boys 5 to 14 were working compared to 24.5 percent of girls in the same age group.¹⁸⁸⁸ Most children working in rural areas can be found assisting in the home and on family farms.¹⁸⁸⁹ In urban areas, children work as street vendors or taxi and bus assistants.¹⁸⁹⁰ Children also work in carpentry, sewing, masonry, plumbing, tailoring, mechanics,¹⁸⁹¹ and begging.¹⁸⁹²

Children are victims of prostitution in The Gambia. They work in bars, hotels, and brothels, often with the knowledge of business owners and managers.¹⁸⁹³ The Gambia is a source, transit, and destination country for the trafficking of women and children.¹⁸⁹⁴ The number of trafficking victims is small, but growing.¹⁸⁹⁵ The problem is most acute in the sex tourism industry, where adults coerce young children, especially girls, with gifts and promises of a better or more Western lifestyle.¹⁸⁹⁶ In January 2005, UNICEF and the Government of The Gambia reported that the majority of prostitutes in tourist areas were underage.¹⁸⁹⁷

The Constitution mandates free and compulsory primary education up to age 8.¹⁸⁹⁸ However, The Gambia's lack of resources and educational infrastructure has made implementation difficult.¹⁸⁹⁹ Many

¹⁸⁸⁸ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*, October 7, 2005. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms, such as the use of children in the illegal drug trade, prostitution, pornography, and trafficking. As a result, statistics and information on children's work in general are reported in this section. Such statistics and information may or may not include the worst forms of child labor. For more information on the definition of working children and other indicators used in this report, please see the "Data Sources and Definitions" section of this report.

¹⁸⁸⁹ U.S. Department of State, *Country Reports on Human Rights Practices- 2004: The Gambia*, Washington, D.C., February 25, 2005, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2004/27729.htm>. Many girls in rural areas leave school for work; some migrating to urban areas to seek domestic or other employment. See UNICEF, *Country Profile: UNICEF in The Gambia, Programme Cycle: 1999-2003*; available from <http://www.ungambia.gm/unicef/profile.html>.

¹⁸⁹⁰ U.S. Department of State, *Country Reports- 2004: The Gambia*, Section 6d.

¹⁸⁹¹ U.S. Embassy- Banjul, *reporting*, October 15, 2002.

¹⁸⁹² U.S. Department of State, *Country Reports- 2004: The Gambia*, Sections 5, 6d.

¹⁸⁹³ U.S. Department of State, *Country Reports on Human Rights Practices- 2004: The Gambia*, Washington, D.C., June 3, 2005; available from <http://www.state.gov/g/tip/rls/tiprpt/2005/46613.htm>.

¹⁸⁹⁴ *Ibid.* Children are trafficked regionally (mainly from Senegal, Sierra Leone, Liberia, Ghana, and Nigeria) and internally (from rural to urban areas) for forced work, which includes exploitation, begging, street vending, and domestic servitude. Vulnerable girls are often led to a life of prostitution and trafficked to Europe. Government of The Gambia UNICEF, *Study on the Sexual Abuse and Exploitation of Children in the Gambia*, 2003, pp. 39, 49; available from http://www.unicef.org/media/files/gambia_report.doc.

¹⁸⁹⁵ U.S. Department of State, *Country Reports- 2004: The Gambia*, Section 5. Sexual abuse increases with rising poverty. Integrated Regional Information Networks, "GAMBIA: Rising poverty breeds sexual exploitation of children by Sugar Daddies", IRINnews.org, [online], May 6, 2004 [cited January 12, 2006]; available from <http://www.irinnews.org/print.asp?ReportID=40937>.

¹⁸⁹⁶ UNICEF, *Child Sex Tourism and Exploitation Increasing in The Gambia*, Press Release, UNICEF, May 5 2004; available from http://www.unicef.org/media/media_20825.html.

¹⁸⁹⁷ U.S. Department of State, *Country Reports- 2004: The Gambia*, Section 5. Sex tourism exploits street children, school dropouts, and children from low income families. ECPAT International, *Gambia*, in ECPAT International, [database online] [cited January 12, 2006]; available from http://www.ecpat.net/eng/Ecpat_inter/projects/monitoring/online_database/index.asp.

¹⁸⁹⁸ *Constitution of the Gambia*, (1997), Section 30; available from <http://www.childlaborlaws.org/docs/866.shtml>. See also U.S. Department of State, *Country Reports- 2004: The Gambia*, Section 5.

families cannot afford school fees or tuition that are imposed on children above age 8,¹⁹⁰⁰ and girls generally have less access to education.¹⁹⁰¹ Working children are also less likely to attend school and more likely to drop out.¹⁹⁰² In 2002, the gross primary enrollment rate was 85 percent, and the net primary enrollment rate was 79 percent.¹⁹⁰³ Gross and net enrollment ratios are based on the number of students formally registered in primary school and, therefore, do not necessarily reflect actual school attendance. In 2000, 57.8 percent of children ages 5 to 14 years were attending school.¹⁹⁰⁴

Child Labor Laws and Enforcement

The Gambia's statutory minimum age for employment is 14 years.¹⁹⁰⁵ The legal framework governing child labor is limited, and there are no laws that restrict the sectors in which children can work.¹⁹⁰⁶ The Constitution protects all citizens from forced labor,¹⁹⁰⁷ and all children under age 16 from economic exploitation and hazardous work.¹⁹⁰⁸ The Constitution also outlaws discrimination¹⁹⁰⁹ but allows unequal treatment in the workplace with regard to adoption, marriage, divorce, and inheritance, which threatens children, especially girls, born out of wedlock or with disabilities.¹⁹¹⁰ The Children and Young Persons Act (CYPA) calls for the protection of orphaned, homeless, and at-risk children from neglect, abuse, abandonment, slavery, child bondage, destitution, and prostitution.¹⁹¹¹

The Criminal Code prohibits prostitution,¹⁹¹² kidnapping, abduction, child sex tourism, child sexual exploitation,¹⁹¹³ child abuse, and child neglect.¹⁹¹⁴ The 2003 Tourism Offenses Act punishes tourists found

¹⁸⁹⁹ U.S. Department of State, *Country Reports- 2004: The Gambia*, Section 5. See also UNICEF and Government of the Gambia, *Programme of Cooperation 1999-2003*; available from <http://www.ungambia.gm/unicef/pdf/mpopart2.pdf>.

¹⁹⁰⁰ U.S. Department of State, *Country Reports- 2004: The Gambia*, Section 6.

¹⁹⁰¹ International Confederation of Free Trade Unions, *Internationally Recognized Core Labour Standards in Gambia: Report for the WTO General Council Review of the Trade Policies of Gambia*, February 4, 2004; available from <http://www.icftu.org/www/pdf/gambiacle2004.pdf>. Enrollment of girls remains low in rural areas where cultural factors and poverty discourage parents from sending them to school. See also U.S. Department of State, *Trafficking in Persons Report- 2005: The Gambia*, Washington, D.C., June 3, 2005; available from <http://www.state.gov/g/tip/rls/tiprpt/2005/46613.htm>. See also U.S. Department of State, *Country Reports- 2004: The Gambia*, Section 5.

¹⁹⁰² Government of The Gambia in collaboration with UNICEF, *The Gambia Multiple Indicator Cluster Survey Report*, New York, 2000; available from <http://www.childinfo.org/MICS2/newreports/gambia/gambia.htm>.

¹⁹⁰³ UNESCO Institute for Statistics, <http://stats.uis.unesco.org/TableViewer/tableView.aspx?ReportId=51> (Gross and Net Enrolment Ratios, Primary; accessed December 2005).

¹⁹⁰⁴ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*.

¹⁹⁰⁵ U.S. Department of State, *Country Reports- 2004: The Gambia*, Section 6d.

¹⁹⁰⁶ U.S. Embassy- Banjul, *reporting*, October 15, 2002.

¹⁹⁰⁷ *Constitution of the Gambia*, Section 20.

¹⁹⁰⁸ *Ibid.*, Section 29.

¹⁹⁰⁹ *Ibid.*, Section 33.

¹⁹¹⁰ *Ibid.*, Section 33(5). See also United Nations Convention on the Rights of the Child, *Concluding Observations of the Committee on the Rights of the Child: Gambia*, CRC/C/15Add.165, Geneva, Switzerland, November 11, 2001; available from [http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/7cc49e32d664bc49c1256aea002fae9c?Opendocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/7cc49e32d664bc49c1256aea002fae9c?Opendocument).

¹⁹¹¹ The law only applies to the City of Banjul and the Division of Kombo Saint Mary.

¹⁹¹² Specifically, the Code penalizes procurement of a girl under 21 years of age for the purposes of prostitution, both within the Gambia and outside of the country. International Labor Organization LABORSTA, <http://laborsta.ilo.org> (Total and Economically Active Population by age group, accessed January 30, 2006). See also U.S. Department of State, *Country Reports- 2004: The Gambia*, Section 5.

¹⁹¹³ U.S. Department of State, *Trafficking in Persons Report- 2005: The Gambia*.

¹⁹¹⁴ LABORSTA, (Total and Economically Active Population by age group, accessed January 30, 2006). See also Government of The Gambia, *Criminal Code*, as cited in The Protection Project Legal Library, [database online] 1964; available from <http://209.190.246.239/protectionproject/statutesPDF/GambiaF.pdf>.

guilty of involvement in child prostitution, trafficking, and pornography.¹⁹¹⁵ Draft anti-trafficking legislation is still pending.¹⁹¹⁶

There is no conscription in The Gambia.¹⁹¹⁷ The Armed Forces Act enables children under the age of 18 to enlist, but they may not begin military service until they reach 18.¹⁹¹⁸

According to the U.S. Department of State, The Gambia's Department of Labor does not consistently enforce labor laws because of inadequately trained staff.¹⁹¹⁹ The department, which is responsible for implementing the provisions of ILO Convention 182, requires workers to register with the Labor Commissioner and distributes labor cards to eligible employees who satisfy the minimum age for employment.¹⁹²⁰ However, child labor laws are rarely enforced and inspections rarely conducted.¹⁹²¹ In addition, the government does not comprehensively prohibit trafficking in persons.¹⁹²² The government also provides no victim protection in law or practice and has no strategy for collecting trafficking data.¹⁹²³

Current Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The government provides more funds to the Department of Education (DOE) and the Department of Health and Social Welfare (DHSW), which administer sponsorship schemes for children in need of special protection, than to any other agencies.¹⁹²⁴ Nonetheless, the country's lack of resources limits the functions of the DOE and the DHSW.¹⁹²⁵

To combat trafficking, the DHSW partners with five European countries to screen Gambian children under age 17 who apply for travel visas to Europe.¹⁹²⁶ In 2004, multiple government agencies and NGOs combined efforts to develop a Trafficking Taskforce on Trafficking in Persons.¹⁹²⁷ With support from the government, the IOM supports a regional Health Assessment Program that provides medical and monitoring support for trafficking victims.¹⁹²⁸ The government has not established victim care and health

Selected Child Labor Measures Adopted by Governments		
Ratified Convention 138	9/4/2000	✓
Ratified Convention 182	7/3/2001	✓
ILO-IPEC Member		✓
National Plan for Children		✓
National Child Labor Action Plan		
Sector Action Plan		

¹⁹¹⁵ Government of The Gambia, *Criminal Code*, 1964. See also U.S. Department of State, *Country Reports- 2004: The Gambia*.

¹⁹¹⁶ The National Assembly's Head of State speech in March 2005 noted the pending status of a Children's Bill that would outlaw trafficking of children. U.S. Department of State, *Trafficking in Persons Report- 2005: The Gambia*, p. 109.

¹⁹¹⁷ Central Intelligence Agency, *The World Factbook*, CIA, [online] January 10, 2006 [cited January 30, 2006]; available from <http://www.cia.gov/cia/publications/factbook/geos/ga.html>.

¹⁹¹⁸ Coalition to Stop the Use of Child Soldiers, *Child Soldiers Global Report 2004*, London, November 17, 2004; available from <http://www.child-soldiers.org/resources/global-reports>.

¹⁹¹⁹ U.S. Department of State, *Country Reports- 2004: The Gambia*, Section 6d. Workers who refuse to work in hazardous conditions may lose their jobs without recourse. Unions, *Internationally Recognized Core Labour Standards*, pp. 4-5.

¹⁹²⁰ U.S. Department of State, *Country Reports- 2004: The Gambia*, Section 6d.

¹⁹²¹ Ibid. See also Unions, *Internationally Recognized Core Labour Standards*, p. 5.

¹⁹²² U.S. Department of State, *Trafficking in Persons Report- 2005: The Gambia*. See also U.S. Department of State, *Country Reports- 2004: The Gambia*.

¹⁹²³ U.S. Department of State, *Trafficking in Persons Report- 2005: The Gambia*.

¹⁹²⁴ U.S. Department of State, *Country Reports- 2004: The Gambia*, Section 5. United Nations Convention on the Rights of the Child, *Initial Reports of States Parties due in 1992: Gambia*, CRC/C/3/Add.61, Geneva, Switzerland, September 28, 2000, para. 194.

¹⁹²⁵ U.S. Department of State, *Country Reports- 2004: The Gambia*, Section 5.

¹⁹²⁶ European partners are Denmark, Germany, Belgium, Sweden and Norway. ECPAT International, *Gambia*.

¹⁹²⁷ U.S. Department of State, *Country Reports- 2004: The Gambia*, Section 5.

¹⁹²⁸ Ibid.

facilities for trafficking victims, but does provide temporary shelters with access to medical and psychological services.¹⁹²⁹

The government operates a nationwide education initiative to increase the gross enrollment rate, to improve educational opportunities for girls,¹⁹³⁰ to strengthen basic education curricula, and to improve teacher training.¹⁹³¹ The World Bank and the African Development Bank fund projects to combat poverty and improve the health and education of children.¹⁹³² NGOs and the DOE run various education initiatives.¹⁹³³ The President directs an Empowerment of Girls Education project in Banjul and the West and North Bank regions.¹⁹³⁴

¹⁹²⁹ Ibid.

¹⁹³⁰ One program is the Scholarship Trust Fund, which covers the costs of tuition, textbooks, and examination fees for girls at all levels of education. See *Initiatives in Girls Education: The Scholarship Trust Fund*, Secretary of State for Education, [online] [cited January 30, 2006]; available from http://www.edugambia.gm/Directorates/Current_Projects/Girls_Education/body_girls_education.html. The program includes girls attending private schools. See also U.S. Embassy- Banjul, *reporting*, August, 2003. The DOE cannot fund the entire program, but works with various partners for financial support.

¹⁹³¹ The initiative lasts through 2005, extending a program that began in 1988. *Scholarship Trust Fund*, pp. 107-108. See also World Bank, *Education and Health in Sub-Saharan Africa: A Review of Sector-Wide Approaches*, The Gambia Education Case Study, January 2001, p. 96.

¹⁹³² The projects conclude on June 30, 2005. The World Bank, *Projects and Programs, Active Projects*, Washington, DC, January 2006 2005; available from <http://web.worldbank.org/external/default/main?menuPK=351670&pagePK=141155&piPK=141124&theSitePK=351626>. See also Child, *Concluding Observations on the Committee on the Rights of the Child*.

¹⁹³³ Some initiatives include the Education Management Information System for implementing education policy; the Remedial Initiative for Female Teachers for training women teachers; and the Computer Technology and Literary Program for computer-skills instruction in secondary schools. The Gambia Department of State for Education, *Current Projects*, The Gambia Department of State for Education, n.d. [cited January 30, 2006]; available from http://www.edugambia.gm/Directorates/Current_Projects/current_projects.html. The U.S. Department of Agriculture works with the Government as part of a global effort to provide meals for school children. U.S. Embassy- Banjul, *reporting*, August 2003.

¹⁹³⁴ The U.S. Embassy in Banjul contributes funds to this project through the Education for Development and Democracy Initiative Ambassador's Girls Scholarship Fund. See U.S. Embassy- Banjul, *reporting*, August 2003.